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In re Application of :
SADAO et al. :
Application No.: 10/521,252 :
PCT No.: PCT/JP03/09061 :
Int. Filing Date: 17 July 2003 :
Priority Date: 19 July 2002 :
Attorney Docket No.: 1422-0650PUS1 :
For: PHOTOCATALYST-CONTAINING BASE
MATERIAL

DECISION ON
PAPERS UNDER 37 CFR 1.42

This decision is in response to the declaration filed 14 January 2005 which is being treated as a request under 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 17 July 2003, applicants filed international application PCT/JP03/09061, which claimed a priority date of 19 July 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 29 January 2004. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee was to expire on 19 January 2005.

On 14 January 2005, applicants filed a transmittal letter for entry into the national stage in the United States accompanied, *inter alia*, by: the basic national fee; a copy of an international application; a preliminary amendment; and an executed declaration. The declaration was executed by: Masamichi Kuroda and Fumio Kuroda as inventors and Kiyoko Murasawa on behalf of deceased inventor, Sadao Murasawa.

DISCUSSION

37 CFR 1.42 *When the Inventor is Dead*, states, in part:

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

The declaration submitted on 14 January 2005 was executed by Kiyoko Murasawa as "legal representative" of the deceased inventor, Sadao Murasawa. The declaration is acceptable under 37 CFR 1.42 and complies with 37 CFR 1.497(a)-(b).

CONCLUSION

The papers filed under 37 CFR 1.42 are **ACCEPTED**.

The application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

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